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February 25, 2019

VIA ECF FILING

The Honorable Mitchell S. Goldberg
James A. Byrne U.S. Courthouse
601 Market Street, Room 7614
Philadelphia, PA 19106-1797

**RE: Kelphala Sessay v. Peoples Commerce, Inc. and Admiral Recovery Systems, LLC
U.S.D.C.E.D.Pa. Civil Action No. 17-3219(MSG)**

Dear Judge Goldberg:

I write on behalf of Plaintiff Kelphala Sessay to address the issues identified in this Court's February 13, 2019 Order granting in part Plaintiff's Motion for partial summary judgment. This suit involves two parties: Admiral Recovery Systems, LLC ("Admiral") and Peoples Commerce, Inc. ("PCI"). Defendant Admiral is in default for failure to appear, which serves as an admission of the facts alleged in Mr. Sessay's Complaint except as to damages. *Penn-Mont Benefit Servs. v. United States*, No. 13-4130, 2015 WL 5000896, at *7 (E.D. Pa. Aug. 20, 2015). As to Defendant PCI, this Court granted judgment in Mr. Sessay's favor as to all claims asserted against it except for the negligence claim, which Plaintiff did not move on. Defendant PCI still maintains a counterclaim for breach of contract, and Mr. Sessay does not know whether PCI intends to pursue this claim.

As to Admiral, Mr. Sessay intends to move for a default judgment against Admiral, which will necessitate a damages hearing under Fed.R.Civ.P. 55(b)(2). Accordingly, the final adjudication of Mr. Sessay's claims against PCI and Admiral will require a damages hearing. To streamline proceedings, Mr. Sessay is prepared to file his motion for default judgment in advance of a damages hearing so that all damages issues can be determined in one proceeding. No additional discovery is necessary on the issue of damages. If PCI decides to pursue the breach of contract claim, Mr. Sessay believes that such claim can be properly adjudicated in the same proceeding.

Very truly yours,



JODY THOMAS LÓPEZ-JACOBS

JTLJ:jr

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